

These are the tentative rulings for civil law and motion matters set for Friday, July 11, 2014, at 9:00 a.m. in the TAHOE DIVISION (Department 14) of the Placer County Superior Court. The tentative ruling will be the court's final ruling unless notice of appearance and request for oral argument are given to all parties and the court by 4:00 p.m., Thursday, July 10, 2014. Notice of request for oral argument to the court must be made by calling (530) 584-3463. Requests for oral argument made by any other method will not be accepted. Prevailing parties are required to submit orders after hearing to the court within 10 court days of the scheduled hearing date, and after approval as to form by opposing counsel. Court reporters are not provided by the court. Parties may provide a court reporter at their own expense.

EXCEPT AS OTHERWISE NOTED, THESE TENTATIVE RULINGS ARE ISSUED BY COMMISSIONER TRILLA BAHRKE AND IF ORAL ARGUMENT IS REQUESTED, ORAL ARGUMENT WILL BE HEARD IN DEPARTMENT 14, LOCATED AT 2501 N. LAKE BLVD., TAHOE CITY, CALIFORNIA.

1. T-CV-0001871 KENNETH BUTLER vs. KENT HALLAWELL et al

SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF PLACER
TRILLA E. BAHRKE, COMMISSIONER
DEPARTMENT 14

KENNETH E. BUTLER,

Plaintiff,

vs.

KENT HARRY HALLAWELL,
ROBERT ELKINS HALLAWELL,
DOES 1 to 20,

Defendants

Case NO: T-CV-0001871

TENTATIVE RULING ON MOTION TO
COMPEL SUPPLEMENTAL ANSWERS TO
SUPPLEMENTAL INTERROGATORIES
AND SUPPLEMENTAL RESPONSES TO
DEMAND FOR PRODUCTION OF
DOCUMENTS

Defendant's Motion to Compel Supplemental Answers to Supplemental Interrogatories and Supplemental Responses to Demand for Production of Documents is granted. Defendant's

request for sanctions is denied, as the Motion was unopposed (Code Civil Procedure §2031.300(c)). Although California Rules of Court, Rule 3.1348(a) purports to authorize sanctions if a Motion is unopposed, the Court declines to do so, as the specific statute governing this discovery authorizes sanctions only if the Motion was unsuccessfully made or opposed. Any order imposing sanctions under the California Rules of Court must conform to the conditions of one or more of the statutes authorizing sanctions (*Trans-Action Commercial Investors, Ltd. v. Firmaterr Inc.* (1997) 60 Cal.App.4th 352, 355).

Plaintiff shall serve Supplemental Answers to Supplemental Interrogatories and Supplemental Responses to Demand for Production of Documents by August 1, 2014.

If Oral Argument is requested, Oral Argument will be heard on Friday, July 11, 2014 at 9:00 a.m. in Department 14 located at 2501 North Lake Boulevard, Tahoe City, California.

Parties may appear by using the Courts Telephonic Appearance System the Placer County Superior Court Website at www.placer.courts.ca.gov

Date: July 10, 2014

Commissioner Trilla E. Bahrke
Superior Court California
County of Placer

2. T-CV-000193333 FLORIN CHISCAN vs. JEANETTE EDWARDS AMOUR et al

SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF PLACER

TRILLA E. BAHRKE, COMMISSIONER
DEPARTMENT 14

FLORIN CHISCAN,

Plaintiff,

vs.

JEANETTE EDWARDS AMOUR,

Does 1 to 20,

Defendants

Case NO: T-CV-0001933

TENTATIVE RULING ON MOTION TO
COMPEL RESPONSES TO REQUESTS
FOR PRODUCTION OF DOCUMENTS,
SET ONE, FORM INTERROGATORIES,
SET ONE AND SPECIAL
INTERROGATORIES, SET ONE

Defendant's Motion to Compel Responses to Requests for Production of Documents, Set One, Form Interrogatories, Set One and Special Interrogatories; Set One is granted.

Plaintiff shall serve Responses to Requests for Production of Documents, Set One, Form Interrogatories, Set One and Special Interrogatories, Set One August 1, 2014.

If Oral Argument is Requested, Oral Argument will be heard on Friday, July 11, 2014 at 9:00 a.m. in Department 14 located at 2501 North Lake Boulevard, Tahoe City, California.

Parties may appear by using the Courts Telephonic Appearance System the Placer County Superior Court Website at www.placer.courts.ca.gov

Date: July 10, 2014

Commissioner Trilla E. Bahrke
Superior Court California
County of Placer

These are the tentative rulings for civil law and motion matters set for Friday, May 30, 2014, at 9:30 a.m. in the TAHOE DIVISION (Department 14) of the Placer County Superior Court. The tentative ruling will be the court's final ruling unless notice of appearance and request for oral argument are given to all parties and the court by 4:00 p.m., Thursday, May 29, 2014. Notice of request for oral argument to the court must be made by calling (530) 584-3463. Requests for oral argument made by any other method will not be accepted. Prevailing parties are required to submit orders after hearing to the court within 10 court days of the scheduled hearing date, and after approval as to form by opposing counsel. Court reporters are not provided by the court. Parties may provide a court reporter at their own expense.